

### REMARKS-General

The amended independent claims 1, 13 and 21 incorporates all structural limitation of the original claims 1, 13 and 21 and includes further limitation previously brought forth in the disclosure. No new matter has been included. All claims 1-3, 5, 6, 13-15, 17, 21-23 and 25 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

#### Regarding to Rejection of Claim 1 under 35USC102

The Examiner rejected claim 1 as being anticipated by Simonson (US 3,931,751).

Pursuant to 35 U.S.C. 102, "a person shall be entitled to a patent unless:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

In view of 35 U.S.C. 102(b), it is apparent that a person shall not be entitled to a patent when his or her invention was patent in this country more than one year prior to the date of the application for patent in the United States.

However, the Simonson patent and the instant invention are not the same invention according to the fact that the independent claim 1 of the Simonson patent does not read upon the instant invention and the independent claim 1 of the instant invention does not read upon the Simonson patent too. Apparently, the instant invention, which discloses a docking frame for a power saw machine, should not be the same invention as the Simonson patent which discloses a portable and collapsible mounting.

Accordingly, Simonson fails to anticipate the following distinctive features.

(i) A docking station comprises a boundary frame having a **docking socket shaped and sized for detachably receiving a bottom portion of the cutting machine**, as claimed in claim 1, wherein Simonson merely anticipates the mounting structure has longitudinal rails 6 to support the power saw without any mention of any docking socket shaped and sized for the bottom portion of the cutting machine receiving thereinto. It is apparent that Simonson fails to teach and anticipate the same recitation and limitation in the amended claim 1 of the instant invention of using a docking socket to fit the bottom portion of the cutting thereinto.

(ii) A locker device is adapted for detachably locking the bottom portion of the cutting machine at the boundary frame within the docking socket as claimed in claim 1, wherein Simonson merely teaches rigid hanger brackets employed having slidable relation with the longitudinal rails 6 for support the saw unit without teaching how to securely and detachably lock up the cutting machine on the hanger brackets. Moreover, a mere description of the bracket does not equivalent to the locker device as claimed in the instant invention.

(iii) A plurality of **locking members** are adapted for spacedly and outwardly extended from a peripheral side of the cutting machine, and a plurality of **locker arms** are spacedly extended from the boundary frame to detachably engage with said locking members respectively, wherein Simonson merely teaches means adjustably secured to the table top for supporting the power saw without any mention of any locking member and locker arm to quickly and securely lock up the cutting machine with the docking station. Simonson merely suggests the bracket to secure the power saw without teaching any detail technology of how to do it.

(iv) The main objective of Simonson, in column 1, lines 30-41, is to provide a strong, durable, rigid mounting for the power saw. Particularly, the mounting is a portable and collapsible mounting for the power saw. The mounting contains collapsible feature since the mounting comprises two sets of legs 9, 10 adapted to fold at a collapsed position. The mounting contains portable feature since the mounting comprises two caster wheels 21 at the legs 10 such that when the legs 9, 10 are collapsed, the power saw can be carried by the mounting. Simonson never teaches the

power saw is adapted to be detached from the mounting. However, the instant invention provides a detachably mounting feature that the docking frame is used to detachably mount the cutting machine so as to provide an optimal auxiliary support for the operation and the transportation of the cutting machine. In other words, Simonson never mentions any concept of detachably mounting the cutting machine to the docking station while the mounting of Simonson is a totally different idea with the docking frame of the instant invention.

(v) A **retractable utility table** is slidably mounted within the docking socket at a position below the bottom portion of the cutting machine, wherein the boundary frame further has a side opening communicating with the docking socket such that the retractable utility table is adapted to slidably fold between a storage position and a working position, wherein at the storage position, the retractable utility table is slidably received within the docking station, and at the working position, the retractable utility table is sidewardly slid out of the docking station through the side opening to form as a side working platform for the cutting machine, as claimed in claim 1. Simonson never mentions any utility table adapted to be retracted under the cutting machine when the cutting machine is mounted at the docking station. It is worth to mention that the instant invention has a compact size corresponding to the size of the cutting machine that the peripheral functional gear is retractable to minimize the size of the docking frame. Figures 1 to 4 of Simonson illustrates the size of the power saw in comparison with the mounting. It is apparent that Simonson's mounting is very bulky.

(vi) A utility tools box is mounted on a side of the boundary frame of the docking station for containing utility tools of the cutting machine as claimed in claim 1, wherein Simonson never mention any utility tools box on the side of the mounting.

Accordingly, applicants believe that the rejection of claim 1 is improper and should be withdrawn.

**Response to Rejection of Claims 1-3, 5, 6, 13-15, 17, 21-23 and 25 under 35USC103**

The Examiner rejected claims 1-3, 5, 6, 13-15, 17, 21-23 and 25 over Cole (US 3,669,031) in view of Ransom et al (US 6,672,348) and further in view of Oltman et al (US 4,239,195). Pursuant to 35 U.S.C. 103:

“(a) A patent may not be obtained though the invention is **not identically** disclosed or described as set forth in **section 102 of this title**, if the **differences** between the subject matter sought to be patented and the prior art are such that the **subject matter as a whole would have been obvious** at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.”

In view of 35 U.S.C. 103(a), it is apparent that to be qualified as a prior art under 35USC103(a), the prior art must be cited under 35USC102(a)~(g) but the disclosure of the prior art and the invention are not identical and there are one or more differences between the subject matter sought to be patented and the prior art. In addition, such differences between the subject matter sought to be patented **as a whole** and the prior art are obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

In other words, the differences between the subject matter sought to be patent as a whole of the instant invention and Cole which is qualified as prior art of the instant invention under 35USC102(b) are obvious in view of Ransom and Oltman at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

The applicant respectfully submits that in order to determine whether the differences between the subject matters sought to be patent as a whole of the instant invention and the primary prior art, Cole, are obvious in view of the supplemental cited arts, Ransom and Oltman, we have to identify all the differences between the claims of the instant inventions and Cole. The applicant respectfully identifies the differences between the claims of the instant invention and Cole as follows:

(a) in claims 1 and 13, “a docking station comprising a boundary frame having a **docking socket**” is claimed to detachably receive the bottom portion of the

cutting machine, wherein Cole merely teaches a rectangular support frame 12 having a generally rectangular top surface 14 without any mention of any docking socket sized and shaped for detachably receiving the bottom portion of the cutting machine.

(b) in claims 1 and 13, “a **locker device** for detachably locking the bottom portion of the cutting machine at the boundary frame within the docking socket” is included to lock up the cutting machine at the docking station, wherein Cole never mention any locker device to secure the power saw on the top surface 14 of the support frame 12.

(c) in claim 1 and 13, “a plurality of **locking members** adapted for spacedly and outwardly extended from a peripheral side of the cutting machine, and a plurality of **locker arms** spacedly extended from the boundary frame to detachably engage with the locking members respectively” is claimed to lock up the cutting machine. There is no locking member or locker arm in Cole’s patent.

(d) in claims 1, 14 and 22, “a **retractable utility table** slidably mounted within said docking socket at a position below said bottom portion of said cutting machine” is claimed to enhance a workability of the cutting machine, wherein Cole merely teaches a sliding support 22 adapted to outwardly from the forward end of the frame 12. The applicant respectfully submits that the sliding support 22 of Cole is not equivalent to the retractable utility table. The sliding support 22 as taught by Cole includes two castors to support the lumber piece 35 to be cut by the power saw. In addition, the retractable utility table is slidably folded between a storage position and a working position, wherein at the storage position, the retractable utility table is slidably received within the docking station, and at the working position, said retractable utility table is sidewardly slid out of the docking station through the side opening to form as a **side working platform** for the cutting machine.

(e) in claims 1, 15 and 23, “a **utility tools box** mounted on a side of the boundary frame of the docking station” is claimed to contain utility tools of the cutting machine, wherein Cole never mention any utility tools box mounted at a side of the support frame 12.

(f) Cole does not teach “each of the locker arms has a lower pivot end pivotally connected to the boundary frame and an upper locker end detachably engaged with the respective locking member for locking up the cutting machine with the docking station” as claimed in claim 2 in addition to what is claimed in claim 1 as a whole.

(g) Cole does not teach “each of the locking arms comprises a resilient arm extended from the boundary frame to detachably engage with the locking member for providing a pulling force against the cutting machine so as to lock up the cutting machine with the docking station” as claimed in claim 3 in addition to what is claimed in claim 1 as a whole.

(h) in claims 5-6, 17 and 21, “two wheel assemblies rotatably and spacedly mounted at a bottom portion of the boundary frame at a rear side thereof and a dolly handle frontwardly extended from the boundary frame” is included for easily carrying the cutting machine”, wherein Cole merely teaches each of front legs 16a has a caster 49a, 49b. It is apparent that Cole fails to teach the two wheel assemblies are mounted to the boundary frame but not to the leg frame.

(i) in claims 17 and 25, “two wheel assemblies are rotatably and spacedly mounted at the bottom portion of the boundary frame **at a position below the cutting head** and the dolly handle is frontwardly extended from the boundary frame **at a position below the cutting table**” is claimed that the wheel assemblies mainly support a weight of the cutting head to allow the main frame to be easily lifted up at the dolly handle. Cole never teaches the concept of the positions of the wheel assembly and the dolly handle with respect to the cutting head and the cutting table of the cutting machine.

Whether the claims 1-3, 5, 6, 13-15, 17, 21-23 and 25 as amended of the instant invention are obvious depends on whether the above differences (a) to (i) between the instant invention and Cole are obvious in view of Ransom and Oltman at the time of the invention was made.

Furthermore, the applicant respectfully submits that when applying 35 USC 103, the following tenets of patent law must be adhered to:

- (a) The claimed invention must be considered as a whole;
- (b) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
- (c) The references must be viewed without the benefit of hindsight vision afforded by the claimed invention; and
- (d) Reasonable expectation of success is the standard with which obviousness is determined.

Also, "The mere fact that a reference could be modified to produce the patented invention would not make the modification obvious unless it is suggested by the prior art." Libbey-Owens-Ford v. BOC Group, 4 USPQ 2d 1097, 1103 (DCNJ 1987).

Ransom merely teaches, in column 3, lines 24-25, the portable saw 26 is attached on the support plate 28 using screws, bolts or other fasteners. However, the locker device of the present invention is to lock up the cutting machine at the docking station when the bottom portion of the cutting machine is received in the docking socket. Therefore, Ransom does not have any suggestion of how the bottom portion of the cutting machine be possibly disposed in the docking socket.

In addition, screws, bolts or other fasteners suggested by Ransom are adapted to lock up the power saw on the support plate 28 permanently. The applicant respectfully submits that the screws, bolts or other fasteners suggested by Ransom cannot lock up the cutting machine to the docking frame of the present invention. Accordingly, the locker device of the instant invention comprises locking members at a peripheral side of the cutting machine and locker arms at the boundary frame to detachably engage with the locking members respectively. Furthermore, the locker device provides a quick and simple structure for the user to attach or detach the cutting machine at the docking frame. In other words, the locker device is a tool-less locker to lock up the cutting machine at the docking frame.

Oltman merely teaches a workbench having a molded plastic tool pocket assembly 29, 30. The applicant respectfully submits that the workbench of Oltman is considered as a table including a tabletop, legs and tool pocket assembly 29, 30 as the drawers of the table. The utility tools box of the instant invention is mounted on a side of the boundary frame of the docking station for containing utility tools of the cutting machine to enhance a workability of the cutting machine when the cutting machine is detachably mounted at the docking frame. In other words, the tool pocket assembly 29, 30 is not equivalent to the utility tools box because the docking frame of the instant invention is not a table or a workbench of Oltman.

“To prevent the use of hindsight based on the invention to defeat patentability of the invention, this court requires the examiner to show a motivation to combine the references that create the case of obviousness. In other words, the examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited art references for combination in the manner claimed... [T]he suggestion to combine requirement stands as a critical safeguard against hindsight analysis and rote application of the legal test for obviousness...” *In re Gorman*, 933 F.2d 982, 986, 18 USPQ 2d 1885, 1888 (Fed. Cir. 1991).

Accordingly, the applicant believes that neither Cole, Ransom nor Oltman, separately or in combination, suggest or make any mention whatsoever of the difference subject features (a) to (i) as claimed in the amended claims 1-3, 5, 6, 13-15, 17, 21-23 and 25 of the instant invention.

Applicant believes that for all of the foregoing reasons, all of the claims are in condition for allowance and such action is respectfully requested.

### **The Cited but Non-Applied References**

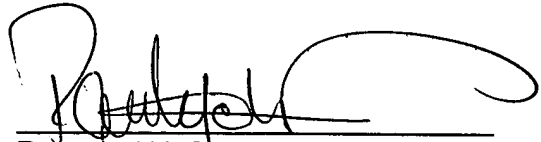
The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 1-3, 5, 6, 13-15, 17, 21-23 and 25 at an early date is solicited.



Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

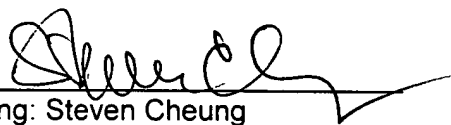


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#### CERTIFICATE OF MAILING

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